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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,)	Case No. 3:05-cr-107-RRB
)	
Plaintiff,)	MOTION TO DISMISS
)	
vs.)	
)	
GLADE R. LUSK)	
)	
Defendant.)	
_____)	

COMES NOW the United States of America, by and through counsel, and hereby moves the court for an Order dismissing certain counts now pending against this defendant.

In June of 2005, in case A05-052 CR (RRB), defendant Lusk was indicted for two counts of Distribution of a Controlled Substance to a Person under Age 21, in violation 21 U.S.C § 841(a)(1) & (b)(1) & 859. In November of 2005, in case

A05-107 CR (RRB), defendant was indicted for one count of Possession of a Controlled Substance with Intent to Distribute, Causing Serious Bodily Injury and Death, in violation of 21 U.S.C. § 841(a)(1) & (b)(1)(C).

On December 19, 2005, the government filed an Information, case no. A05-122 CR (RRB), charging defendant with a violation of 18 U.S.C. § 3, Accessory after the Fact.

On January 11, 2006, defendant entered a plea, pursuant to a Plea Agreement, to the charge of Possession with Intent to Distribute [Case A05-107 CR], as well as to the charge of Accessory after the Fact [Case A05-122 CR]. Imposition of Sentence for defendant, is anticipated to be set for April 25, 2006, with the co-defendant, Matthew O'Connor, also named in case A05-052 CR..

In view of resolution of the case, the government now moves to dismiss the two counts in case no. A05-052 CR.

RESPECTFULLY SUBMITTED this 2nd day of February, 2006, at Anchorage, Alaska.

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CERTIFICATE OF SERVICE

I hereby certify that on February 2, 2006,
a copy of the foregoing **MOTION TO DISMISS**,
was served, via fax, on:

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